

01-21-03
DATE OF DEPOSIT: January 17, 2003
Express Mail #EV207405371US

Election #71647
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Group Art Unit 1647
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CRISTIAN L. ACHIM ET AL. : Examiner Christopher J. Nichols.
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:
Serial No. 10/073,522 : Attorney Docket No. 214001-00823-1
:
Filed February 11, 2002 :
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METHODS OF USING :
IMMUNOPHILIN BINDING :
DRUGS TO IMPROVE :
INTEGRATION AND SURVIVAL :
OF NEURONAL CELL :
TRANSPLANTS :

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RESPONSE TO RESTRICTION/ELECTION OF SPECIES
REQUIREMENT

January 17, 2003

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

This in response to the Restriction Requirement dated December 19, 2003. The Restriction Requirement identified nine groups of claims:

1. Group I (Claims 1, 2, 4, 5, 6, 14, 15 and (17)) drawn to a method for treating a neurodegenerative illness comprising culturing cells in vivo with an **organic compound** and further comprising administering said organic compound **during** transplantation;
2. Group II (Claims 1, 2, 4, 8, 9, 10, 11, 14, 15 and 17) drawn to a method for treating a neurodegenerative illness comprising culturing cells in vivo with a **growth factor** and further comprising administering said growth factor **during** transplantation;
3. Group III (Claims 1, 3, 4, 5, 7, 14, 16 and 17) drawn to a method for treating a neurodegenerative illness comprising culturing cells in vivo with an **organic compound** and further comprising administering said organic compound **after** transplantation;
4. Group I (Claims 1, 2, 4, 8, 9, 10, 11, 12, 13, 14, 15 and 17) drawn to a method for treating a neurodegenerative illness comprising culturing cells in vivo with a **growth**

factor and further comprising administering said organic compound **after** transplantation;

5. Group V (Claims 18-20), drawn to methods of improving neuronal cell survival in a patient;
6. Group VI (Claims 21-23), drawn to methods of improving neurite extension and integration of neuronal cell transplants in a patient;
7. Group VII (Claims 24-25), drawn to methods of improving neurite extension and integration of neuronal cell transplants;
8. Group VIII (Claims 26-27), drawn to a method of decreasing gliosis of second trimester human fetal neuronal cells;
9. Group I (Claim 28), drawn to a second trimester human fetal neuronal cell.

Applicants hereby elect Group I, organic compounds, with FK506 as the representative species, with traverse.

Applicants respectfully submit that search of a group comprising Claims 1-7, 13-18, 21, 23, 24, 26 and 28 would not pose an undue burden on the Examiner. These claims are all drawn to methods of treating neurodegenerative diseases or neuronal cells with compounds having an affinity for immunophilins. A search of the art on compounds having an affinity for immunophilins and their methods of use would necessarily embrace the subject matter found in Claims 1-7, 13-18, 21, 23, 24, 26 and 28. All of these claims read on the elected subject matter, immunophilin ligands (organic compounds) and on the specific species elected by Applicants, FK506.

Applicants respectfully request that Claims 1-7, 13-18, 21, 23, 24, 26 and 28 be prosecuted together. An action on the merits is requested at an early date.

Respectfully submitted,



Debra Z. Anderson
Registration No. 44,508
Eckert Seamans Cherin & Mellott, LLC
600 Grant Street, 44th Floor
Pittsburgh, PA 15219
Attorney for Applicants

412-566-1910